

SITE-SPECIFIC MEMORANDUM OF UNDERSTANDING SIGNOFF

BACKGROUND

This site-specific memorandum of understanding (MOU) will be entered into between the Acting Regional Administrator, United States Environmental Protection Agency (USEPA), Region 5, and the Director, Michigan Department of Environmental Quality (MDEQ), in order to transfer the lead for oversight of Resource Conservation and Recovery Act (RCRA) Corrective Action (CA) Requirements from the USEPA Underground Injection Control (UIC) Program and the USEPA RCRA Program to the MDEQ for the Allied Signal Incorporated (Allied) Site located at 7819 West Jefferson, Detroit, Michigan, formerly known as the Detroit Coke Corporation (Detroit Coke) Site.

The MOU is going through signoff in the Waste, Pesticides and Toxics Division, Water Division, and the Office of Regional Council concurrently, and the combined signoff package will be given to Dave Ullrich.

FACILITY NAME (Owner) Allied Signal Incorporated (Formerly Detroit Coke)
(Operator) Allied Signal Incorporated
FACILITY LOCATION 7819 West Jefferson
Detroit, Michigan

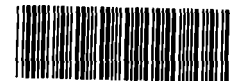
ID NUMBER MID 099 114 704
TYPE OF DECISION _____

X SITE-SPECIFIC MEMORANDUM OF UNDERSTANDING

REVIEW PACKAGE CONTENT

X MEMORANDUM OF UNDERSTANDING

USEPA RECORDS CENTER REGION 5



1004932

CONCURRENCES

INITIALS DATE

1. RCRA PROJECT MANAGER

NAME G. Rudloff S.R. 4/28/99

2. SECTION CHIEF (Proofed)

H.C. 4/28/99

3. WMB CHIEF

M.B. Parker 4/28/99

4. DIVISION DIRECTOR, WPT

R.S. 4/28/99



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

NOV 17 1999

REPLY TO THE ATTENTION OF

D-8J

Mr. Richard O'Connor
Minergy Detroit, LLC
N16 W23217 Stone Ridge Drive
Waukesha, WI 53188-1155

Re: Allied Signal Incorporated Site (formerly known as the Detroit Coke Site)
7819 West Jefferson, Detroit, Michigan

Dear Mr. O'Connor:

I am writing in response to your letter dated October 22, 1999 concerning the property referenced above. This response is based upon the facts presently known to the United States Environmental Protection Agency (EPA) and is provided solely for informational purposes. For the reasons stated below, EPA does not presently contemplate requiring additional Resource Conservation and Recovery Act (RCRA) corrective action (CA) requirements at this property under EPA's Underground Injection Control (UIC) permit Numbers MI-167-1W-004 and MI-167-1W-005.

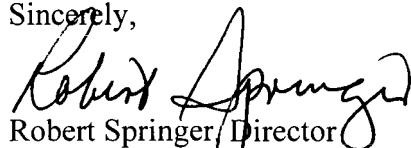
The federal RCRA Subtitle C Program was established to, among other things, set standards for and regulate the generation, treatment, storage and disposal of hazardous wastes as well as provide for the cleanup of hazardous waste treatment, storage and disposal facilities. The EPA has authorized certain states, including the State of Michigan, to implement approved RCRA programs. Unless exempt by law, facilities that treat, store or dispose of hazardous wastes are subject to the requirements of RCRA. These requirements include applying for and obtaining operating permits, implementing closure and post-closure of regulated units, and performing corrective action to address releases of hazardous waste.

EPA supports State programs to address contaminated facilities, and supports the action which the Michigan Department of Environmental Quality (MDEQ) has taken to address environmental conditions at the AlliedSignal Incorporated Site. Based on the information in your letter, a site-specific Memorandum of Understanding between EPA and MDEQ dated April 29, 1999 (MOU), and site information currently in our possession, EPA neither plans nor anticipates pursuing any further RCRA CA requirements at this facility. In addition, EPA intends to rely on MDEQ to resolve any current or future environmental remediation issues related to the RCRA CA requirements at this facility. As set forth in Paragraph 19 of the MOU, from the effective date of the MOU, EPA will not enforce the RCRA CA requirements in the UIC permits provided that the MDEQ meets all of its obligations under the MOU. Additionally, as noted in Paragraph 21 of the MOU, EPA does not plan or anticipate taking any future Federal action related to the environmental remediation of the AlliedSignal Incorporated Site against future owners or

operators of the Site, provided that such owners or operators satisfy the conditions set forth in Paragraph 21 of the MOU. Please note, however, that this does not preclude EPA from undertaking any action at the facility at a later date if EPA obtains any information indicating that such action is necessary to protect human health and the environment.

If you have any questions, or if we can be of any further assistance, please do not hesitate to contact Mr. Gerald W. Phillips at (312) 886-0977.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Springer". The signature is fluid and cursive, with the first name "Robert" and last name "Springer" clearly distinguishable.

Robert Springer, Director
Waste, Pesticides and Toxics Division

cc: Mike Anastasio (C-14J)
Steven J. Murawski (C-14J)
Gerald Phillips (D-8J)
Greg Rudloff (DRP-8J)
Allen Melcer (WU-16J)
Robert P. Reichel, Assistant Attorney General, State of Michigan
Carrie Olmsted, Michigan Department of Environmental Quality
Alan D. Wasserman, Counsel for the City of Detroit